

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MAKS INC. GENERAL TRADING
AND CONTRACTING CO., *et al.*,

Plaintiffs,

v.

STERLING OPERATIONS, INC.,
formerly known as
EOD TECHNOLOGY, INC.,

Defendant,

No.: 3:10-CV-443-TAV-HBG

STERLING OPERATIONS, INC.,
formerly known as
EOD TECHNOLOGY, INC.,

Counter-Plaintiff,

v.

MAKS INC. GENERAL TRADING
AND CONTRACTING CO.,

Counter-Defendant,

ORDER

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge H. Bruce Guyton on January 27, 2014 [Doc. 457]. In the R&R, Magistrate Judge Guyton recommends denying the request for prejudgment and post-judgment interest at a rate of 10.00% per annum presented by MAKS Inc. Trading and Contracting Company (“MAKS”). Further, Magistrate Judge

Guyton recommends awarding MAKs prejudgment interest at a rate of 5.00% per annum—which amounts to \$169,927.40 in interest from September 9, 2009, to the date of judgment on Work Authorization 01 and \$161,476.03 in interest from October 23, 2009, to the date of judgment on Work Authorization 02—and post-judgment interest at a rate of 0.15% per annum from the date of the entry of judgment to the date of the decision on the R&R. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 457] and **ORDERS** that MAKs be **AWARDED** prejudgment interest at a rate of 5.00% per annum, which amounts to **\$169,927.40** in interest accruing from September 9, 2009, to the date of judgment on Work Authorization 01 and **\$161,476.03** in interest accruing from October 23, 2009, to the date of judgment on Work Authorization 02, as well as post-judgment interest at a rate of 0.15% per annum from the date of the entry of judgment to the date of the decision on the R&R.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE